

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
Misc. Petition No.4 of 2007
In
Lunacy Petition No.2 of 1981

Smt.Vijaysha Vinayak Shirke. .. Petitioner
v/s.

Panna Atmaram Bhansali & ors. .. Respondents

Mr.S.V. Lad i/by M/s.V.S.Legal Associates for
Petitioner.

Mr.Y.P. Yagnik, Administrator of estate of Sheela
Bhansali.

CORAM : SMT.R.S. DALVI, J.

DATED : 21st March, 2007

P.C. :

1. The property concerned in this Petition is co-owned by one Panna Bhansali, Tinoo Bhansali and Sheela Bhansali, lunatic in Lunacy Petition No.2 of 1981. Mr.Y.P. Yagnik, Prothonotary and Senior Master of this Court (retired) has been appointed an Administrator of the estate of Sheela Bhansali. He represents 1/3rd share in the said estate.

2. The tenancy of room Nos.3 and 4 in chawl No.3, Ground floor, Harkurbai building, situated at Mugbhat Lane, Thakurdwar Road, Mumbai, is required to be transferred. The two co-owners have given their no objection letters. The Administrator represents the other 1/3rd estate.

3. The original tenant was one Vinayak, who has expired. His original death certificate is produced.

4. The deceased Vinayak has left behind his wife, two sons and one daughter surviving him. His daughter has given her objection to transfer the tenancy to the name of her mother and her two minor brothers.

5. The Petitioner is the wife of the deceased Vinayak Shirke. She has prayed for being admitted as a monthly tenant of the aforesaid rooms Nos.3 and 4. She is the only legal and natural guardian of the two minor sons. She is, therefore, required to hold the tenancy in her name as also on behalf of her two minor sons. Subject to the said holding, she is appointed monthly tenant of the aforesaid rooms Nos.3 and 4. She shall pay the required rent as well as all the authorised and permitted increases to the co-owners of the aforesaid property.

6. Petition is disposed of with the above order.

